

BAKER DONELSON

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March 12, 2020

BY FIRST-CLASS MAIL

National FOIA Office
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 20460

Re: 930 Port Street, Inc., 930 Port Street, Easton, Maryland 21602

Dear Sir or Madam:

This firm represents 930 Port Street, Inc. ("Port Street") regarding its environmental and regulatory matters. Port Street submits this Freedom of Information Act ("FOIA") request to the Environmental Protection Agency ("EPA") seeking access to the agency's files relating to the above referenced property.

Pursuant to the provisions of the Freedom of Information Act, 5 U.S.C. § 552 ("the Act"), and 29 C.F.R. §1610.1, *et seq.*, Port Street hereby requests access to certain records, as defined in the Act, in the possession of the EPA. Specifically, we request the opportunity to review and obtain copies of all records and information in the possession of the EPA relating to the EPA's allegations of violations of the Maryland Underground Storage Tank (UST) program, as well as any federal claims, on the property located at 930 Port Street, Easton, Maryland 21602, from 2015 to present.

Should the EPA determine that some of the requested documents or records are exempt from disclosure in whole or in part, please forward copies of all non-exempt records and all reasonably separable non-exempt portions of any records that your agency believes are partially exempt from disclosure. With respect to any documents, or portions thereof, to which access is denied, please describe, in an index or other legible format, the deleted material and the specific statutory reasons and basis for each such denial of access. Also, please separately state your reasons for not invoking your discretionary powers under the Act to release in the public interest any material you deem to be exempt. *See Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Such statements will be helpful in deciding whether to appeal an adverse determination, and in formulating arguments in the event of any appeal.

As provided in the amended Act, we expect to be notified of the availability of these documents within twenty (20) working days.

We hereby assume financial responsibility for all reasonable direct costs of the search for the requested records and their duplication. Please direct any responses or other inquiries concerning this request to the undersigned. Thank you for your anticipated cooperation and prompt attention to this matter.

Very truly yours,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC



Ashley P. Cullinan

APC/lmf

cc: Charles R. Schaller, Esq.
Louis Ramalho, Esq.
930 Port Street, Inc.